

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

HOLLY CARBON and KENNETH CARBON,
and the Marital Community Thereof,

Plaintiffs,

v.

SEATTLE REPRODUCTIVE MEDICINE, INC.,
P.S., a Washington Professional Service
Corporation,

Defendant.

NO. 2:19-cv-01491-RAJ-JRC

**DECLARATION OF BRYAN C.
GRAFF REGARDING FEES AND
COSTS IN CONNECTION WITH
PLAINTIFFS' MOTION TO
COMPEL DISCOVERY**

I, Bryan C. Graff, state and declare as follows:

1. I am a member of Ryan, Swanson & Cleveland, PLLC, attorneys for Plaintiffs Holly Carbon and Kenneth Carbon. (the "Carbons"). I make this declaration based upon my personal knowledge and I am competent to testify to the matters set forth herein. If called to testify, I would repeat and affirm each statement in this declaration.

2. I am submitting this declaration pursuant to the Court's Order Granting in Part and Denying in Part Plaintiffs' Motion to Compel, Dkt. 33, (hereinafter, the "Order"), entered on July 28, 2020.

3. Attached as Exhibit A is a true and correct Time Report of our firm's services



1 provided to the Carbons in connection with Plaintiffs' Motion to Compel Discovery from
2 Defendant, Dkt. 25, (hereinafter, the "Motion").

3 4. Exhibit A lists the date the work was performed, the timekeeper, the time
4 worked, the amount based upon the time worked multiplied by the timekeepers' hourly rate,
5 and a narrative description of the work. I have reviewed the Carbons' bills for reasonableness,
6 and I have deleted time and corresponding expense for work that did not relate to the Motion. I
7 have also eliminated time and corresponding expense for work that appeared duplicative.

8 5. The time and work that our firm expended as set forth in the attached Exhibit A
9 was reasonably and necessarily undertaken in connection with the Motion.

10 6. I have been practicing law and commercial litigation for over 15 years. I have
11 practiced in the Seattle area with Ryan, Swanson & Cleveland since 2006. I have been a
12 Member of Ryan, Swanson & Cleveland, PLLC since 2012 and I am the Chair of our firm's
13 Litigation Department. Prior to joining Ryan, Swanson & Cleveland, PLLC, I practiced
14 commercial litigation in Atlanta, Georgia as an associate with the law firm formerly known as
15 Hunton & Williams, LLP. My regular hourly rate for 2020 is \$465.00.

16 7. Working on the Motion with me was Helen M. Hapner, a litigation associate at
17 Ryan, Swanson & Cleveland, PLLC, who has been practicing law and commercial litigation
18 since 2016, after graduating *magna cum laude* from the College of Law at the University of
19 Illinois. Ms. Hapner's 2020 regular hourly rate is \$265.00.

20 8. A table summarizing the time spent and the amount billed by each member of
21 our team in connection with the Motion is set forth below:

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23 ///



Timekeeper	Hours	Amount
Graff, Bryan	19.30	\$8,974.50
Hapner, Helen	10.40	\$2,756.00
Total:	29.70	\$11,730.50

9. The hourly rates charged to the Carbons' in connection with the Motion by the attorneys at our firm are reasonable and customary for legal work of like kind, quality and complexity in the Seattle area.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and accurate.

EXECUTED this 3rd day of August, 2020, at Seattle, Washington.

By


Bryan C. Graff, wSBA #38553

